



**MILLBRAE CITY COUNCIL  
MINUTES  
February 9, 2016**

**CALL TO ORDER MILLBRAE CITY COUNCIL**

Mayor Oliva called the meeting to order at 7:00 p.m.

ROLL CALL: Mayor Anne Oliva, Vice Mayor Reuben D. Holober, Councilmembers Gina Papan, Ann Schneider, and Wayne J. Lee.

Mayor Oliva invited the youth in the Chamber to come up to the dais and lead the pledge of allegiance.

**PLEDGE OF ALLEGIANCE TO THE U.S. FLAG**

**1. CEREMONIAL/PRESENTATION**

- Recognition of Retired Millbrae Firefighters

Mayor Oliva stated that the Firefighters were not in attendance, and that the certificates would be sent to them.

**2. AGENDA OVERVIEW/STAFF BRIEFING**

- Report of Bills and Claims

City Manager Raines reviewed the agenda items.

**3. APPROVAL OF MINUTES**

- NONE

**4. ORAL REPORT FROM CITY COMMITTEE/COMMISSION CHAIRS**

- NONE

**PUBLIC COMMUNICATION**

Wynn Grich, Hayward resident, spoke on the detrimental health effects of chloramines and lead in the drinking water.

**CONSENT CALENDAR**

Councilmember Papan requested that item 6 be pulled for discussion.

5. Approval of a Special Event Permit for the Lunar New Year Festival on February 27, 2016 including Street Closure of Library Avenue

Upon a motion/second by Lee/Holober, Consent Calendar item 5 was unanimously approved.

6. Resolution Adopting Amendments to the Millbrae Station Area Specific Plan Ordinance amending Chapter 10.05, Sections 1705 and 1805 “Millbrae Station Area Specific Plan” of the Millbrae Municipal Code
  - Waive 2<sup>nd</sup> Reading
  - Adopt Ordinance

Project Manager di Iorio presented the report. She stated that staff received a letter from the attorney for the Millbrae School District; the School Superintendent also informed parents that the District is working with the City to address the concerns that were raised. The staff report includes the language that was requested by the Council at the last meeting and staff has addressed the questions and concerns of the Council regarding the MSASP.

Council discussed and inquired about the following items:

- Concerned with use of word “ direct” in Councilmember Papan’s memo with reference to SFO connection and to all aspects of transportation;
- Changing from 10,000 square feet to 3,000 square feet for frontage with regard to gyms/health clubs. Implement active businesses on street frontages.
- Analysis of costs to the City, what is the impact to the General Fund;
- What is “CMP”;
- Regarding park space, clarify that the impact fee should specify a preference to parks and recreation programs and services;
- Include stronger language so that the impacts to the schools are addressed, include a performance standard;
- Include parking assessment;
- Change the resolution; remove reference to developers as part of the Technical Advisory Committee.

Staff responded:

- The word “direct” will be removed;
- Initially the plan had 3,000 square feet for this type of use and it was changed, at the February 26<sup>th</sup>, meeting to 10,000 square feet. Rather than restrict the types of businesses, language will be included to provide guidance with the conditional use permit process. This will give both the Planning Commission and the Council the discretion to approve the types of services/businesses in the frontage areas;
- Staff will bring forward a report on impact fees. There are infrastructure needs in this area already and different studies will come before the Council as proposals come in. The developers will pay their share of growth in this area and future developments will pay impact fees. The plan before the Council this evening will establish the vision and set the boundaries for the area.
- “CMP” is Congestion Management Plan, staff will spell this out;
- Regarding park space, language will be included to clarify the preference to parks and recreation programs and services;
- It would not be appropriate for the City to include a performance standard in the plan; we are not a school district. Until we have a development application before us, we do not know what to plan for. When the development application comes before us, the City and School District will work with the developer to address concerns;
- A parking assessment needs to be approved by the land owners and the voters. The MSASP includes language that addresses special assessment districts;
- Reference to “City Council appointed” will be removed from the Resolution.

Begin public comment.

Rob Mantler, Millbrae resident, thanked Council for listening to the School District's concerns. He is concerned that there is no revenue sharing on the development and this will leave the taxpayers on the hook. Look at how to shares the revenues, what will offset the District's costs, how will safety issues, be dealt with; need more specifics.

David Crabbe, Sierra Club, regarding pedestrian issues at Bart site, large shuttles will drop off east of Rollins Road, there are 55 units of housing in this area, these all must cross Rollins at Garden lane, this is a critical point, would like to see something worked out to see a safe pedestrian crossing in this area. This needs to be taken care of now, not later.

Jamie Zaninovich, Millbrae resident, thanked Council for being active and addressing the concerns of the parents. There is a group of parents that is very involved with this and will be tracking the the Council is doing. They hope that there is more communication with this process and projects, and will monitor, green space/open space issue, traffic and safety.

Kelly Erardi, Republic Family of Companies, thanked everyone for their participation in the plan and supports that Council moves forward. He is impressed with the City's willingness to address the School District's concerns, and committed to meet with the District on the project moving forward. They are ready to develop a landmark in Millbrae.

Omar Abi-Chahira, Millbrae resident, lives near the project. Slight divide with his generation and others, he is in support of more housing and urged Council to support the plan.

Evelyn Stivers, Housing Leadership Council, there is a crisis in housing. She encouraged the Council to adopt the plan and move forward with the project tonight. She thanked Council for their hard work.

Tony Miranda, Hayward resident and Project Executive of Black Construction Company, they are the builders for Republic. He introduced himself and stated that they have many years of experience with mixed use projects. They also have experience with school buildings and in Millbrae area; they served the School District in their bond campaigns. They are excited to be a partner on this project and encouraged Council to vote in favor of plan.

Rob DuCote, Millbrae resident, noted that there is still debate on issues: 1) on economic viability of project, center discussion on business that will bring revenue, not use words such as restrict, 2) traffic and congestion for next 15 years, backing away from these issues, Congestion Management Plan needs to be strong, if not clear it will cripple the City, lastly, 3) preference for park lands and recreation, get dedicated land or fees as per the code.

End of public comment.

Councilmember Papan stated that she would be voting no because the we can make this better and address taxpayer concerns.

Upon a motion/second by Schneider/Holober, Resolution No. 16-03 adopting amendments to the Millbrae Station Area Specific Plan was adopted by a vote of 3:2, Councilmembers Papan and Lee dissented.

Upon a motion/second by Schneider/Holober, Council waived the second reading and adopted Ordinance No. 758 amending Chapter 10.05, Sections 1705 and 1805 “Millbrae Station Area Specific Plan” of the Millbrae Municipal Code, by a vote of 3;2; Councilmembers Papan and Lee dissented.

### **PUBLIC HEARING**

NONE

### **EXISTING BUSINESS**

NONE

### **NEW BUSINESS**

7. Approving a Resolution Authorizing the City of Millbrae to join the Peninsula Clean Energy Authority, a Joint Powers Authority, as a Charter Member, Appointing a Councilmember as a Peninsula Clean Energy Authority Board Director and Introducing an Ordinance for the City of Millbrae to become a Community Choice Aggregator
  - Waive 1<sup>st</sup> Reading
  - Introduce Ordinance

Supervisor Dave Pine presented a brief report on Community Choice Energy (CCE). He stated that 17 cities have already joined the effort and he hoped to have all 20 cities in the County on board.

There was a brief power point presentation:

- CCE leverages the market power of group purchasing and local control;
- Local community control over electricity;
- Offers consumers a choice where none exists currently;
- Cleaner, stable, often cheaper electric rates;
- Ratepayer funded not taxpayer funded;
- Formation of a Joint Powers Agency (JPA) in San Mateo County – local governments to adopt ordinance to enter into JPA agreement;
- Utility (PG&E) continues to provide billing, customer service, maintenance;
  - ✓ CARE, Medical Baseline , and other low income programs continue
- The JPA will be governed by a Board of Directors made up of elected officials from the jurisdiction;
- The JPA is legally and financially separate from the jurisdictions it serves;
- CCE will become the default electric provider;
  - ✓ Customers will receive opt-out notices and can return to PG&E
- Anticipate the first Board meeting in March with an anticipated October launch.

Council received the report. There was a question regarding the appointment of the Board Member and alternate. The Board Member must be elected but allows for alternate to be a member of City staff; would like to see both as elected officials.

It was noted that Millbrae can appoint two elected officials and that the JPA Board can amend their agreement to reflect this.

Begin public comment.

Janet Creech, Millbrae resident, thanked Council for listening to options on Community Choice Energy. This will reduce the amount of green-house gases and will make more impact on the climate action plan. The plan is seamless, PGE will continue delivery and billing, and energy will come from PCE. To date the unincorporated areas of the County along with 16 other cities have joined. She thanked Councilmember Lee for being Millbrae's representative on the advisory board.

Mark Roest, Peninsula Clean Energy Authority, stated that the CCE can develop renewable energy and energy storage and within 2-4 years these installations will be lower than other installations. We will go from paying for fossil fuel energy to buying renewable energy and this is free with the cost of equipment.

Omar Abi-Chahine, Millbrae resident, urged the Council to adopt the Resolution and join the PCE JPA.

#### End of public comment.

There was continued Council discussion regarding the appointment of Councilmembers to serve on the JPA Board. Rather than name individuals, the appointments would be made by the Mayor; this would make it easier so as not to have bring back the appointments to Council every time there is a change.

Upon a motion/second by Lee/Papan, Resolution No. 16- 04 Authorizing and Directing the Mayor to Execute the Joint Exercise of Powers Agreement which will Establish the City as a Charter Member and Authorizing the Mayor to Appoint Councilmembers to Serve as the City's Director and Alternate to the Board was unanimously adopted with the change to make the appointments as Mayoral appointments.

Upon a motion/second by Papan/Lee, Council unanimously waived the first reading and introduced an ordinance for the City of Millbrae to become a Community Choice Aggregator.

#### COUNCIL COMMENTS

Mayor Oliva:

- Thanked the community for their support for the Super Chili Bowl Fun Run;
- There were approximately 315 runners, 69 volunteers, over 600 attended the chili cook-off and tasting;
- Announced the Lunar New Year Celebration on February 27<sup>th</sup>.

Vice Mayor Holober:

- Stated that he had spoken at Rotary Club's meeting last month;
- Announced the Rotary Lunar New Year dinner on February 26<sup>th</sup>.

Councilmember Papan:

- Thanked Councilmember Schneider for her efforts at the Fun Run and Councilmember Lee with his efforts with the Lions at the Fun Run;
- Congrats to new eagle scout Jordan Chinn, resolution and future meeting

Councilmember Schneider:

- Attended the recent Airport Community Roundtable meeting;
- Attended the SMC SeaLevel rise meeting, Millbrae has located two areas of interest;
- Attended the recent meeting held by Assembly Member Mullin;
- Announced that the League of California Cities is looking at ways to raise revenue for street repairs.

Councilmember Lee:

- Announced the Meadows School Crab Fee on February 26<sup>th</sup>;
- Announced the Lions Crab Feed on the 1<sup>st</sup> Saturday in March;
- Congratulated Mayor Oliva and Vice Mayor Holober on a successful Fun Run.

**CLOSED SESSION**

Performance Evaluation and Negotiation with Unrepresented Employee  
Closed Session held pursuant to Government Code §54957 and §54957.6  
Title: City Manager

**ADJOURN CITY COUNCIL**

There being no further business to discuss, the City Council adjourned at 9:55 p.m. in memory of former Millbrae City Clerk Marie McKechnie.

/s/ Angela Louis  
City Clerk

/s/ Anne Oliva  
Mayor